



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

October 14, 2011
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair
Jon Commers
First Vice Chair
Barbara A. Wencil
Second Vice Chair
Paula Merrigan
Secretary
Anthony Fernandez

Pat Connolly
Gene Gelgelu
Bree Halverson
Richard Kramer
Christopher Ochs
Trevor Oliver
Gaius Nelson
Julie Perrus
Marilyn Porter
Betsy Reveal
Tony Schertler
Robert Spaulding
Terri Thao
Jun-Li Wang
Daniel Ward II
David Wickiser

Planning Director
Donna Drummond

I. Approval of minutes of September 30, 2011

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

#11-278-491 Wings Financial Credit Union – Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage. 1798 7th Street West, NE corner of W 7th and Montreal. (*Merritt Clapp-Smith, 651/266-6547*)

#11-273-381 Community Dental Care – Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic. 1236 Arcade Street, NE corner at Hawthorne. (*Kate Reilly, 651/266-6618*)

#11-277-446 HandyHelp LLC – Conditional Use Permit for group residential housing under Zoning Code Sec. 65.155. 593 Stryker Avenue, NW corner at King Street. (*Luis Pereira, 651/266-6591*)

V. Comprehensive Planning Committee

Agricultural Zoning Study – Approve resolution to initiate a study. (*Anton Jerve, 651/266-6567*)

VI. Regional Business Plan and Related Efforts – Informational presentation by Chair Jon Commers.

VII. Neighborhood Planning Committee

VIII. Transportation Committee

IX. Communications Committee

X. Task Force Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF OCTOBER 10-14- 2011

Mon (10)

Tues (11)

4:00-5:30 p.m. Comprehensive Planning Committee
(Penelope Simison, 651/266-6554)

13th Floor – CHA
25 Fourth Street West

Urban Agriculture Study – Staff report and resolution initiating the study.
Anton Jerve, 651/266-6567

Industrial Zoning Study – Continuing discussion of preliminary staff recommendations. No action. *Penelope Simison, 651/266-6554*

Weds (12)

6:30 - 8:00 p.m. Near East Side Task Force Open House
(Luis Pereira, 651/266-6591)

Bethlehem Lutheran Church
(in the church sanctuary)
655 Forest Street

A subcommittee developed a list of recommendations for properties along East 7th Street. Residents, property owners, business owners, contractors, real estate professionals, artists, design professionals, potential developers, and others are invited to hear about these recommendations and offer feedback.

Thurs (13)

Fri (14)

8:30-11:00 a.m. Planning Commission Meeting
(Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

#11-278-491 Wings Financial Credit Union – Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage. 1798 7th Street West, NE corner of W 7th and Montreal.
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#11-273-381 Community Dental Care – Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic. 1236 Arcade Street, NE corner at Hawthorne. (*Kate Reilly, 651/266-6618*)

#11-277-446 HandyHelp LLC – Conditional Use Permit for group residential housing under Zoning Code Sec. 65.155. 593 Stryker Avenue, NW corner at King Street. (*Luis Pereira, 651/266-6591*)

Comprehensive Planning

Committee..... Agricultural Zoning Study – Approve resolution to initiate a study. (*Anton Jerve, 651/266-6567*)

Informational Presentation.... Regional Business Plan and Business Related Efforts – Informational presentation by Chair Jon Commers.

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes September 30, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, September 30, 2011 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Perrus, Porter, Reveal, Thao, Wang, Wencl, Young; and Messrs. Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver, Spaulding, Ward, and Wickiser.

Commissioners Absent: Ms. *Halverson and Messrs. *Commers, and *Schertler
*Excused

Also Present: Donna Drummond, Planning Director; Allen Lovejoy, Department of Public Works, Lucy Thompson, Patricia James, Merritt Clapp-Smith, Kate Reilly, Anton Jerve, Ryan Kelley, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes September 16, 2011.

MOTION: *Commissioner Reveal moved approval of the minutes of September 16, 2011. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Commissioner Wencl, who is the Commission's first vice chair, chaired the meeting. Commissioner Wencl read a resolution honoring Commissioner Young for her service on the Planning Commission.

MOTION: *Commissioner Thao moved approval of the resolution honoring Commissioner Young. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

III. Planning Director's Announcements

Donna Drummond announced that the Shepard Davern Residential Redevelopment Overlay District Amendment was given final approval by the City Council on Wednesday. Also, the state American Planning Association conference is currently being held in St. Cloud, which started on Wednesday and continues through today. Ms. Drummond attended Wednesday and Thursday. She said there were a number of staff who submitted proposals for sessions and did presentations, including sessions on electric vehicle charging stations, Central Corridor Brownfield project, Central Corridor parking program, and fiscal impact modeling.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

Four items came before the staff Site Plan Review Committee on Tuesday, September 27, 2011:

- Summit Hill Assisted Living conversion of hotel to 118 unit assisted living, 1870 Old Hudson Road.
- Central Corridor Parking Lot improvements to existing lot, 676 University Avenue W.
- Barole Trucking Bldg new office warehouse building, 2286 Capp Road.
- Subway Parking Lot grading and improvements, 2119 University Avenue.

Three items to come before the Site Plan Review Committee on Tuesday, October 4, 2011:

- Cherry's Minnehaha Tavern Parking Lot new parking area, 745 White Bear Avenue.
- Storchak Drycleaner front and back building additions, 857 7th Street East.
- Community Dental Parking Lot 53 total parking spaces, 1236 Arcade Street.

NO BUSINESS

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, October 6, 2011.

V. Comprehensive Planning Committee

Commissioner Merrigan said the committee met on Tuesday and reviewed a first draft of the Industrial Zoning Study. There was discussion about the relationship of land use in the City's economic development strategy. This discussion will continue at their next meeting on Tuesday, October 11, 2011.

VI. Neighborhood Planning Committee

Commissioner Wencil announced that they had met and talked about the nonconforming use amendments. This discussion will continue at the next Neighborhood Planning Committee meeting on Wednesday, October 5, 2011.

VII. Transportation Committee

Red Rock Lower Afton Station Area Plan - Approve resolution recommending adoption by the Mayor and City Council. *(Christina Morrison, 651-266-6546)*

Commissioner Spaulding said the station area plan addresses the area around Lower Afton Road and Highway 61 and would become effective when Red Rock Corridor is built and that station is built as part of that corridor. The plan anticipates a parking ramp and a skyway type connection over Highway 61 to the station platform on the west side of Highway 61.

Commissioner Ochs asked if 2030 was an accurate estimate for when Red Rock Station might be implemented.

Commissioner Spaulding said the Lower Afton station may be built after the Red Rock Corridor itself, because ridership may not justify the expense in the initial construction phase of the project.

Allen Lovejoy, Department of Public Works, explained that the construction of rail in this corridor is speculative. The initial ridership estimates are low, and not now supportive of likely capital costs. (Current projections of ridership are approximately half of what Northstar is carrying today.) Red Rock Commuter Rail – given the level of construction costs and modest ridership - will likely be built as part of inter-city rail investment between the Twin Cities and Chicago. It could be 2030 or 2015 or 2040 - it is very difficult to tell. Another thing is that the park and ride demand in this station area is growing. Current high demand for park and ride in Woodbury, and growing congestion on I-94 suggest that park and ride demand will continue to grow in the long-term. The prospect of having a commuter rail station there in the long run is good.

Commissioner Ochs agrees with the the Transportation Committee that it is wise to plan for Red Rock now, even though there may be some specific issues to be resolved at a later date.

Commissioner Wencil asked if the existing park and ride on the south side of Lower Afton will continue and is there a plan to build a park and ride on the north side or will that be held off until this would be built?

Mr. Lovejoy said that he does not know what the long-term future may be. The current park and ride is likely to stay for at least the short-term future. The community council and neighborhood people really wanted to move it to the northeast quadrant of the intersection, but there are some challenges that make that move quite expensive. Metro Transit wanted to expand the park and ride in its current location, but the community is objecting. For the time being, Metro Transit is taking expansion off the table for now, but will continue to look at park and ride options that aren't quite as invasive to the neighbors along Point Douglas Road. If and when the commuter rail station is built on the northeast quadrant it will supplant the bus park and ride. Commuter rail service will not totally replace all of the bus service. The commuter rail park and ride structure will be sized in a way that can deal with both the commuter rail demand and the bus park and ride demand.

Commissioner Reveal asked Mr. Lovejoy to explain the relationship between this and the Chicago, Minneapolis passenger rail corridor.

Mr. Lovejoy believes that in the short- to mid-term, inter city rail will be coming up the Highway 61 corridor, but it will not be "high speed rail". As an initial step, Illinois, Wisconsin and Minnesota are in negotiations with Amtrak to try and improve their service to at least two trains in each direction on a daily basis. The additional trains would go no further west of the Twin Cities. It is one of the busiest most heavily demanded services outside the east coast in the country for Amtrak. It's conceivable that in the long-term as many as six Amtrak trains a day might be appropriate.

MOTION: *Commissioner Spaulding moved the Transportation Committee's recommendation to approve the resolution recommending that the Red Rock Lower Afton Station Area Plan be adopted by the Mayor and City Council. The motion carried unanimously on a voice vote.*

Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, October 3, 2011.

VIII. Form-Based Coding for the Ford Site – Presentation by J. Michael Orange, MPCA Retiree Environmental Technical Program (RETAP), and Peter Musty, Peter Musty, LLC.

Merritt Clapp-Smith, PED staff, announced that at the last Planning Commission meeting Bob Kost gave a presentation, an introduction to Form-Based Codes and today is a follow up looking specifically at evaluation of different zoning options for the Ford site, as a mechanism for implementing the various goals there including sustainability. Ms. Clapp-Smith introduced the two gentlemen presenting, first was Michael Orange. He came to the City through a program of the Minnesota Pollution Control Agency (MPCA). They have retiree experts on retainer which they match up with different projects on sustainability around the region. MPCA suggested Mr. Orange look at mechanisms through zoning for implementing sustainability. The second speaker is Peter Musty, who was one of the lead consultants that worked on the Roadmap to Sustainability Report for the Ford Site, which Ms. Clapp-Smith had presented to the Planning Commission a couple of months ago. Mr. Musty works more with urban design and municipalities in implementation, so he has some experience with Form-Based codes and he put thought into zoning approach options for the Ford site.

Michael Orange began by saying he was pleased to have a chance to address the Planning Commission on the report he wrote. His charge was to figure out the best way for the City to rezone the Ford Plant site and the two approaches that were considered was either adapting the existing code to make it work or to drop in something new, a Form-Based Code. At first he thought that it would be an either/or when he began his research. His recommendation is towards more of a hybrid approach that utilizes the existing code and takes the best from form-based codes to supplement it. The main charge was to bring the recommendations of the Roadmap to Sustainability alive in the zoning code. Mr. Orange pointed out that there is a recommendation in the Roadmap to consider adoption of a form-based code. He also researched the Smart Code, which is the most developed and most common version of a Form-Based Code. His key recommendation for implementing any zoning approach on the Ford Plant site is to begin with a 40-acre rezoning study. A key part of that study would be to do a small area plan, which could embed the Roadmap to Sustainability recommendations in the plan. He boiled down the recommendations into 26 key elements, half of which can go into a regulating package of the zoning code, while the other half have general site applicability but are not project specific and therefore cannot be addressed in the zoning code. A project can not be approved or denied on those latter elements, but they do belong in a plan which then guides public and private projects. The 14 recommendations that can go into the current zoning code would be best applied as performance standards in a Ford site overlay district. The tools to do this are already in the zoning code -- performance standards and overlay districts -- it's not a leap to create a new district to regulate the site.

Mr. Orange showed a table that accompanies his report which lists the 26 recommendations from the Roadmap, and whether or not they could be addressed under a modification of the current zoning code and under a form-based code. His key finding is that either approach will work,

either a form-based code or amending the current code. The question is: What is most efficient?

The form-based code literature states that they are clearer, because they are graphically oriented, simpler, and easier to manage because more of the review is handled administratively rather than going through a Planning Commission or City Council. That advantage has to be balanced against the fact that if the City adopts a form-based code then it has two kinds of zoning tools to administer, with all of the players having to learn both systems -- the Commission, City Council, the developers and the citizens. In conclusion he said that there are many tools under the City's current code that make implementation of the Roadmap possible, using performance standards, overlay districts and a small area plan.

Peter Musty, Urban Designer, thanked the commission for giving him a chance to go over more ideas about the Ford Plant site. He talked about the Roadmap report and summary document showing all of the recommended site wide and site specific standards for sustainability on the site. With a clear agenda laid out by the report, the next step is evaluation of implementation options. One implementation option is to use an integrated design process. The second is using a form-based development code, and the third is using green building standards. LEED for Neighborhood Development might be another tool, or the use of incentives for standards that are most important to Saint Paul. Musty emphasized the importance of starting with a public realm master plan, which could address many of the guidelines for the site.

Musty noted that there is a great storm water management report for the Ford site, which provides a good framework for site redevelopment. He suggested that the City work with the land holder, the land developer and Ford to design and engrave a first class public realm plan, which could be adopted within a small area plan or a form-based code. He doesn't think that any developer has as much at stake in the long term success of the site in regard to sustainability the City does. The City has the most at stake to make sure that this plan is as wonderful as possible.

Musty noted that the City is moving toward the development of a tricky Brownfield site in a period of slower economic growth, and that growth is slower in this region during any period versus other major metro areas. With a slower growth rate, the rate of absorption for the Ford site may lead to a higher number of smaller phases, making a strong public realm plan even more important.

Mr. Musty said that TN zoning is a type of form-based code, focused on intensity of development. There are other types of form-based codes. The question is: whether the Saint Paul tools can be used to zone the Ford site or whether there could be an overlay that plops in a Smart Code template or something similar. Mr. Musty compared the development shown in the five Ford site scenarios to the TN zones and found that TN2, TN3 and TN4 all relate to types of development in the scenarios.

Commissioner Spaulding asked about how a Smart Code or other form-based code addresses industrial uses on that site.

Mr. Musty said that in the Smart code industrial uses are dealt with as a special district. Smart codes are good at regulating for traditional neighborhoods. If the entire Ford site were to be used as industrial a Smart code would not be looked at, but if it was part of a traditional neighborhood development, a lighter industrial or smaller work place environment it may make sense to be integrated within a larger form-based code that's built or a template for a traditional development.

Commissioner Fernandez asked if most of this is contingent upon what is underneath the soil and contamination. Also when is that supposed to get underway?

Ms. Clapp-Smith said the environmental assessment will kick into high gear again when the plant closes. In 2012 this will begin and they're imagining 18-24 months to get a good handle on what's there. They're waiting to see what they find out on this site and what the cost would be to clean it up and if there will be parts of the site that they can't clean up.

Commissioner Ward said looking at some of the larger development opportunities that have presented themselves here in this region over the past 10-years, how are we doing with being able to get maximum use for a particular site, looking at current zoning and how it applies to best methods of being able to recapture or reclaim use of that land and integrating it in existing neighborhoods.

Mr. Musty said that they have come out of a tradition of great regulation in the Twin Cities. In terms of moving into a posture where we are doing development at larger scales efficiently we are not there. We are definitely in silos in terms of regulating sustainability and urbanism together, but they are moving forward.

Commissioner Wickiser asked if a form-based code within a development district has a minimum or maximum growth square footage. And he commented using the Victoria Park example. He said that it seems to him that the TN zoning was meant to mesh with the neighborhood and what we're getting at Victoria Park is large buildings that aren't going to mesh with the neighborhood. Victoria Park might not be a good example because there is such a long history with regards to that site and lawsuits and environmental issues, but it seems to him that, that could also be true at the Ford site. So let's have a traditional neighborhood and let's continue that fabric instead of TN allowing massing on the site and whether or not it can be put into the development guidelines.

Mr. Musty said that he would start with a desired plan. Forget about zoning. Get a plan that is liked, go through the community and make sure that it's decided on not just a plan, but "*the*" plan. Get through a public realm plan and then a set of intensities, heights, and massing that's well articulated and it is with the municipality and the developer working together on it with the community in an integrated way, then apply the zoning to meet the plan.

Mr. Orange added that is state law, that zoning implements the approved plan.

Commissioner Ochs made the comment that he thinks as a commission and city that they need to make sure to focus on alternatives to housing and not ignore industrial or economic needs. He hopes there is an examination of alternatives to housing and to start thinking about preserving the Ford Plant as an industrial site.

Mr. Musty said they talked about industrial on the site. The Road Map does identify industrial, and they talked with MPCA throughout the preparation of the report. Industrial uses on the site or job centers and reusing the plant in different ways were talked about. If that should come out as a component they do call for a module in the Road Map that deals with industrial standards. Locally they have some resources to turn to. The current Road Map is set up for a neighborhood development, but they do not dive deeply into the opportunities for industrial. There should be some augmenting of the Road Map, especially if industrial is brought in as a chief use.

Commissioner Reveal said that this is exactly what brought them to the conversation they had at the Comprehensive Planning Committee where the staff is undertaking a new examination of all of the industrial zones. And immediately the Committee asked about the City's strategy with respect to industry. What could be job generating and industry is broadly defined. It is important to ask these questions relative to the Ford site, but the broader question of all the industrial area that remains. We are losing it, do we want to lose it and what is the highest and best use there. This is one of the seminal questions to deal with in the next year, because it makes such a difference along the corridor and such a difference in a place like Ford.

Commissioner Merrigan said in regards to the performance standards, she likes the idea of some comprehensive performance standards for the whole site. She is curious about how to maintain the standards throughout the process, from the beginning as opposed to just getting someone in to get things started as they develop in phases. Next in terms of the context, she is concerned about the access to the site.

Mr. Orange explained that the performance standards would be applicable to specific projects and they would be within the zoning code. The plan would be the tool the City would use to bring in the recommendations from the Road Map that applies to the entire Ford Plant site. He can not address the access issue.

Mr. Musty wanted to make clear that he had a very narrow assignment. It was to look at the dozen or so resources that are listed in his report and make recommendations about whether the Road Map recommendations could be best accomplished via the existing code and with a form-based code.

Ms. Clapp-Smith explained that access is an important issue for the site. When they had the developers forum at the beginning of the creation of the scenarios, they all identified the transportation limitations as shaping the potential of the site. It can't have a large destination use or uses that require a lot of trucking access or high volume of traffic. When the City does the AUAR evaluation of the scenarios, it will include a traffic impact study, which will help the City better understand where the limits of use might be as far as residential properties, office and industrial. That will provide important information to help the community and the City in understanding what the framework should be. In wrapping up, Clapp-Smith noted a couple of things that came up. First, she reminded everyone about the green manufacturing report that was done a few years ago for the site. Job creation is a priority of the Mayor and they have to think about what makes sense there and what fits in given limitations of the site in a built up neighborhood. It will be an important and challenging conversation as they move forward to determine what kind of jobs could fit in there and work well.

Also, she explained that the integrated design process mentioned by Musty is a process whereby all the different disciplines of planning for the site work very closely together at the beginning -- roads, sewer, public infrastructure, etc. -- to figure out where they can save costs in these systems by working together and using green design in a manner that's less expensive. It can be more affordable if it is planned at the beginning in a smart way. It's figuring out what elements from the Road Map are really important to the City and to the community, and can be cost effective if done well at the beginning. City staff are still early in the research phases of looking at the different zoning tools that might be used at the site and thinking about a rezoning framework. Staff will begin the same conversation with the Ford Task Force and the community over this coming year, while continuing to do research and bring information to the Planning Commission.

IX. Communications Committee

None

X. Task Force Reports

Commissioner Oliver announced that the Near East Side Task Force is having an open house about the East 7th commercial building recommendations at the Bethlehem Lutheran Church at 655 Forest Street on October 12th, 6:30 p.m.

Commissioner Reveal asked which task forces are working right now and how many are there?

Donna Drummond, Planning Director, said that there is the Near East Side Task Force, West Midway and a group working in District 6, among several others.

Commissioner Reveal asked whether all those have been created in anticipation of some kind of area plan, small area plan or what?

Commissioner Oliver said that the Near East Side Task Force is trying to pull together all the different plans that have been done in the area. This is more of a branding strategy and coordination strategy.

Reveal asked if these task forces are Planning Commissioners only or are they Planning Commissioners plus others.

Commissioner Wencil said that they are Planning Commissioners and community members. She also asked what happened to the Ford Task Force.

Ms. Drummond said that the anticipation is that the Ford Task Force will be meeting this fall once Ford announces the actual date of the plant closing. Then there will be more information about what that means in terms of plant decommissioning and next steps.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:10 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission

PED\butler\planning commission\minutes\September 30, 2011



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE

TUESDAY October 11, 2011

2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Nova Academy New school building and parking lot 1455 Victoria Way

(Nova Academy met with site plan staff in July. Nova submitted a revised site plan in response to comments from staff and copies were recently sent to staff along with a written response from Rehder and Associates. The purpose of this meeting is to identify what issues have been resolved and discuss any issues that are still outstanding. Let Tom Beach know if you need a copy of the site plan or written response.)

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson. To see a map of additional nearby parking ramps go to <http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or mary.montgomery@ci.stpaul.mn.us.

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, October 6, 2011 3:30 P.M.
City Council Chambers, Room #300
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF SEPTEMBER 8, 2011, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-278-491 Wings Financial Credit Union**
Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage
1798 7th St W, NE corner of W 7th and Montreal
T2
Merritt Clapp-Smith 651-266-6547

- 2 11-273-381 Community Dental Care**
Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic
1236 Arcade St, NE corner at Hawthorne
T2
Kate Reilly 651-266-6618

- 3 11-277-446 HandyHelp LLC**
Conditional use permit for group residential housing under Zoning Code Sec. 65.155
593 Stryker Ave, NW corner at King Street
RM2
Luis Pereira 651-266-6591

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: October 7, 2011
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of October 6, 2011 Zoning Committee Hearing

NEW BUSINESS

1. **Wings Financial Credit Union (11-278-491)**
Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage.

Address: 1798 7th St W
NE corner of W. 7th and Montreal

District Comment: District 9 made no recommendation

Support: 0 people spoke, 1 letter

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Denial

	<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
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Denial	Denial (3 - 2) (Wencl, Perrus)
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2. **Community Dental Care (11-273-381)**
Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic

Address: 1236 Arcade St
NE corner at Hawthorne

District Comment: District 5 made no recommendation

Support: 0 people spoke, 0 letters

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with conditions

	<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
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Approval with conditions	Approval with conditions (4 - 1) (Commers)
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3. **HandyHelp LLC (11-277-446)**
Conditional use permit for group residential housing under Zoning
Code Sec. 65.155

<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
Approval with conditions	Approval with conditions (5 - 0)

Address: 593 Stryker Ave
NW corner at King Street

District Comment: District 3 made no recommendation

Support: 0 people spoke, 0 letters

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with conditions

city of saint paul
planning commission resolution
file number
date

WHEREAS, Community Dental Care, File # 11-273-381, has applied for a Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic under the provisions of § 63.207 and § 61.501 of the Saint Paul Legislative Code, on property located at 1236 Arcade St, Parcel Identification Number (PIN) 212922330151, legally described as Wilders Addition Lots 16, 17 And Lot 18 Blk 2; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 6, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. Community Dental Care purchased the property at 1236 Arcade in 2011 with the intent to tear down the existing used car office and replace it with a parking lot for the dental office. Community Dental Care is a 501(c)3 dental office providing dental care to underserved populations on the East Side. Community Dental Care currently has 13 spaces on the clinic property. The minimum off-street parking requirement for a dental clinic is one (1) space per 400 square feet of gross floor area, or 22 spaces for Community Dental Care. Under the code they would be permitted an additional 24 off-site spaces. Community Dental Care is seeking a total of 45 parking spaces, eight spaces over the maximum: 12 on clinic property and 33 off-site spaces.
2. § 63.207(c) *Off-street parking maximum* states that surface parking lots with more than fifteen (15) spaces that exceed the parking minimum by more than seventy (70) percent for all uses other than food and beverage "shall not be created unless a conditional use permit is approved based on demonstration of need." The maximum number of parking spaces at 170% of minimum is 37. The proposed lot would exceed the maximum by eight (8) spaces for a total of 45 spaces.
3. Staff at Community Dental Care states that 37 spaces is not adequate to meet the needs of the dental clinic clients and staff. Each day there is an average of 40.6 full-time equivalent staff members at the dental clinic. According to a two-week survey of employees and clients conducted by Community Dental Care staff, there are 34 employee-owned cars parked on the Community Dental Care lot and on the surrounding residential streets. In addition, the clinic sees between 80 and 100 clients each day, many of whom drive. Those clients include many immigrants for whom English is not their first language. This means that interpreters are also driving to the clinic on a daily basis, sometimes doubling the number of cars. Based on a survey of clients, Community Dental Care has an average of 71 visitor cars over the course of the day and an average of 16 visitor cars at any given time. According to the Dental Clinic staff's research, clinic operations can generate as many as 58 cars, on average, all parked in the vicinity of the clinic, at the same time.

moved by _____
seconded by _____
in favor _____
against _____

4. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition met. The Arcade Street Small Area Plan Summary, adopted by the City Council on May 9, 2007 states as an economic development strategy to "Encourage the development of destination businesses, including commercial offices." Community Dental Care is a destination business that draws low-income clients from around the Saint Paul area.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There are two entrances/exits to the lot, one on Arcade and one on Hawthorne.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The parking lot with nine (9) additional spaces will improve the public health, safety and general welfare because it will take parked cars off the streets in the vicinity of the dental clinic. The character of the neighborhood and the surrounding property will benefit from the removal of the Heartland Auto vacant building and the beautification of the lot.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use fits with the development of the surrounding area in that it is a complementary use to the commercial uses along Arcade and will address on-street parking congestion in the area of the clinic.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to the applicable regulations of the TN2 district in which it is located provided the site plan is approved by City staff.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Community Dental Care for a Conditional Use Permit for 45 off-street parking spaces, exceeding the maximum of 37 spaces permitted for a dental clinic at 1236 Arcade St is hereby approved subject to the following conditions:

1. The site plan is approved by city staff.
2. The use of the lot is restricted to parking of passenger vehicles only.
3. If the clinic permits other businesses to use the lot after the clinic is closed, the clinic shall provide to the police department (Eastern District, 722 Payne Ave.; (651) 266-5565) contact information for parties responsible for managing the use of the lot and preventing nuisance activities.

city of saint paul
planning commission resolution
file number
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WHEREAS, Handyhelp LLC, File # 11-277-446, has applied for a Conditional use permit for group residential housing under Zoning Code Sec. 65.155, under the provisions of §61.301 of the Saint Paul Legislative Code, on property located at 593-595 Stryker Ave, Parcel Identification Number (PIN) 072822140106, legally described as West St Paul Blks 100 Thru 171 Lot 6 Blk 103; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 6, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. This applicant proposes to combine both sides of a duplex at 593-595 Stryker Avenue to create a facility to house 6-10 men with mental health issues, some of whom are also in recovery from chemical dependency. As per §65.155, the applicant has ascertained that 50 percent or more of the residents to be housed at 593-595 Stryker will be under a contract or other arrangement with the state or local government human services agency (State of Minnesota Group Residential Housing program, hosted by Ramsey County) to provide lodging for people who are mentally ill or chemically dependent. While the Minnesota Department of Health (MDH) formerly licensed certain community residential facilities, it no longer does this. Instead, MDH delegates the licensing power to the city. In addition to this Conditional Use Permit, the proposed use will also require that the City issue it a license for rooming and boarding.
2. Rental arrangements will be by the rooming unit rather than the dwelling unit, with each client-resident having his own bedroom. Each person will be subsidized by state Group Residential Housing (GRH) funds, which pay for the individuals' room and board. Occupants will share a common kitchen, dining area, and living room, along with four bathrooms. The kitchen located currently in 595 Stryker will be removed and converted to a bedroom and private sitting room for a 24-hour live-in house manager. A modified site plan showing this kitchen conversion must be submitted by the applicant.

The live-in house manager will provide services including three daily meals to residents as well as manage residents' medications. The facility is described by the applicant as "chemical free," "stable housing" that uses an "alcohol harm-reduction model." While very few residents will own vehicles, the site does have 3-4 off-street parking spaces to rear of the building, in addition to the garage.

3. §65.155 of the Zoning Code lists the standards and conditions of a community residential facility licensed by the health department.

(a) *The facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from*

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in favor _____
against _____

any other licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, overnight shelter, or transitional housing facility with more than four (4) adult facility residents, except in B4—B5 business districts where it shall be at least six hundred (600) feet from any other such facility. This standard is met, as the property at 593-595 Stryker is a minimum of 1,320 feet from any other licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, overnight shelter, or transitional housing facility with more than four (4) adult facility residents. The closest such facility is 1,460 feet away (567 Livingston Ave).

- (b) Except in B4—B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities, emergency housing facilities, shelters for battered persons with more than four (4) adult facility residents, overnight shelters, and/or transitional housing facilities with more than four (4) adult facility residents. This standard is met, as District 3 has only 0.34 percent of its population in licensed community residential facilities, emergency housing facilities, shelters for battered persons with more than four (4) adult facility residents, overnight shelters, and/or transitional housing facilities.*
- (c) The facility shall serve no more than sixteen (16) adult facility residents and minor children in their care, except in B4—B5 business districts where it shall serve no more than thirty-two (32) total facility residents. This standard is met, as the facility is proposed to serve six to ten men, in addition to a 24 hour live-in manager.*
- (d) The facility shall not be located in a two-family or multifamily dwelling unless it occupies the entire structure. This standard is met, as the facility will be located in a two-family structure that will be converted into a one-family structure through the addition of a door across the two units, as well as the removal of one of the kitchens.*
- (e) Except in B4—B5 business districts, the facility shall have a minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms. This standard is met if the Planning Commission approves a minor modification. Under this standard, 5,000 square feet of lot area are required for two rooms plus an additional 6,000 square feet of lot area for the additional six rooms (1,000 square feet per room, for a total of 11,000 square feet. Because the lot is 7,518 square feet in size, a modification of 3,482 square feet is needed.*

4. §61.501 lists five standards that all conditional uses must satisfy:

- (1) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The proposed congregate facility falls within the Mixed Use Corridor land use designation on the Generalized Future Land Use map in the Saint Paul Comprehensive Plan. Mixed Use Corridors are primary thoroughfares served by public transit (or could be in the future), and places where a variety of residential and commercial uses could be located.*
- (2) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met, as the property is a corner lot, and currently has a garage and three or four off-street parking spaces located off of King Street, which is a side street.*
- (3) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met, as the existing neighborhood contains a mix of commercial, retail, multifamily and single family detached housing.*
- (4) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The building*

is a Category 2 vacant building on the City's Registered Vacant Building List as of June 2011. The proposed congregate facility use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in the RM2 district.

- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met if the Planning Commission approves a modification of §65.155(e). The proposed congregate facility is located in the RM2 Medium Density Multifamily District, a district intended to provide for more extensive multiple-family development and a variety of congregate living arrangements.
5. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met, as a strict application of §65.155(e) regarding minimum lot area would prevent an otherwise lawful use of this structure. As a duplex, the property could house up to four unrelated adults per unit, for a total of 8 unrelated adults. This proposal will seek to house 6-10 men in the same space, as well as a 24-hour live-in house manager. The use is comparable to the previous duplex use in terms of scale and impacts, will not impair the intent and purpose of the condition, and is consistent with the health, morals and general welfare of the community and reasonable enjoyment of adjacent property.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Handyhelp LLC for a Conditional use permit for group residential housing under Zoning Code Sec. 65.155 at 593-595 Stryker Ave, with a lot size modification to permit the use on a lot that is 7,518 square feet in area, is hereby approved subject to the additional condition that the applicant must apply for and successfully receive the correct license for rooming/boardhouse from the Department of Safety and Inspections.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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*Telephone: 651-266-6712
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To: Comprehensive Planning Committee
From: Anton Jerve
Date: October 5, 2011
Subject: Urban Agriculture Zoning Study

Background

The general increased interest in local food is a major factor for initiating the Urban Agriculture Zoning Study. This interest has been reflected in recent APA Conference sessions, publications and food planning initiatives such as Homegrown Minneapolis. Community gardens have been identified by neighborhood groups locally and nationally as a way to build community and deal with the foreclosure crisis and associated vacant properties. In Saint Paul, several factors have led to this initiation, including:

- In the process of completing a determination of similar use for farmers markets in 2005 the Planning Commission recognized the need for a better definition for "farmer's market" and recommended further study to develop a more precise definition.
- In 2009, the City Council, at the initiation of Councilmember Stark, passed a resolution requesting "necessary changes to City policy (including possible zoning, licensing/permitting, HRA/easement policies)" in order to "facilitate a network of resources to support the production, distribution and consumption of healthy and locally grown food." Since the resolution, staff has been working on revising the HRA gardening lease guidelines, which are currently under review by the City Attorney's office. Staff has identified this study as the next step to respond to the resolution.
- The North End Urban Farm project by Sparc, a three acre parcel with several large garden plots and limited on-site sales does not fit into a specific zoning category. This use is proposed to be temporary but the long-term vision for the site is to have some portion of agricultural use as an amenity to the neighborhood and housing proposed for the site. DSI issued a "statement of clarification" for the site determining the site is similar to a community garden which allowed it for the 2011 growing season. The statement identifies the imminent zoning study and recommends that agricultural related definitions and requirements be clarified prior to the 2012 growing season.

- Finally, the Saint Paul-Ramsey County Food and Nutrition Commission (www.co.ramsey.mn.us/ph/pc/food_and_nutrition_commission.htm), which was reestablished in 2010, has recently released draft policy recommendations for the City and County, several of which are related to zoning issues.

For these reasons, it is important to review the zoning code to ensure urban agriculture and associated uses are adequately represented and regulated.

Scope

The following issues and sections have been identified to be included in the study:

- Agricultural use permit
- Community gardens
- Home occupations
- Farmers markets
- Greenhouse
- Composting (Licensing)
- Aquaculture
- Accessory uses
- Hoop houses
- Greenhouses
- Animal processing
- Yards/landscaping

Staff Recommendation

Staff recommends that the Comprehensive Planning Committee forward the attached resolution initiating the zoning study to the Planning Commission with a recommendation for approval. Staff will draft report of proposed changes for Neighborhood Planning Committee review within the next 6-8 weeks. The intent is to have adopted zoning changes in place for the 2012 growing season.

city of saint paul
planning commission resolution
file number
date

Urban Agriculture Zoning Study Initiation

WHEREAS, the interest in local food, including farmers markets, urban agriculture, and community gardens has spiked in Saint Paul and nationally as a result of environmental and economic factors; and

WHEREAS, the Saint Paul City Council called for a study of "necessary changes to City policy (including possible zoning, licensing/permitting, HRA/easement policies)" in order to "facilitate a network of resources to support the production, distribution and consumption of healthy and locally grown food" (Resolution 09-879); and

WHEREAS, recent zoning cases have identified a need for a clearer definition for farmers markets (Files #05-052-831 and 09-519-870); and

WHEREAS, the zoning code has no provisions for community gardens;

NOW, THEREFORE, BE IT RESOLVED, under provisions of Section 61.801(b) of the Legislative Code, that the Planning Commission initiates a zoning study to consider amendments to the zoning code in response to community interest and the City Council's request.

moved by _____
seconded by _____
in favor _____
against _____